

LONDON BOROUGH OF BROMLEY 16-19 TRANSPORT POLICY: 2020/21

Introduction

The Department for Education Post-16 Transport to Education and Training Statutory Guidance for Local Authorities (February 2014) states that:

Local Authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or otherwise that the authority considers it necessary to make to facilitate the attendance of all persons of sixth-form age receiving education or training.

Section 509AA of the Education Act 1996

The September Guarantee is an offer, by the end of September, of a "suitable" place in learning to young people completing compulsory education. The Guarantee was implemented nationally in 2007 for 16 year olds and extended to 17 year olds in 2008.

The overall intention of the 16-18 transport duty is to:

- Ensure that learners of sixth-form age are able to access the education and training of their choice
- Ensure that, if support for access is required, this will be assessed and provided where necessary

The Education Act 1996 makes provision for school transport and transport to post-16 education for young people of sixth-form age.

The planning of transport provision at a local level should take into account the following:

- Under the Education and Skills Act 2008, young people have been required, since June 2013, to stay in education or training for a further year after the compulsory school leaving age. From June 2015, this requirement was extended until their 18th birthday. To support the raising of the participation age, Local Authorities have responsibility for promoting the effective participation in education and training of young people who are subject to the duty to participate.
- Under the September Guarantee², every young person aged 16 or 17 must be offered a suitable place in education or training.
- Increasingly young people will be undertaking apprenticeships and traineeships. The government has made it easier and faster for employers to recruit an apprentice and we would expect young people to benefit from continued expansion of the apprenticeships programme

Ensuring that young people have access to the education and training provision that is commissioned at a local level will be essential in order to support these reforms.

The following guidance detail the support and provision available for pupils and students who are aged 16 or over and under 19 at the start of their full time recognised course or who are already 19 but are continuing on an approved course at a maintained school or Further Education College that they began before their 19th birthday.

General Conditions of Eligibility for All Students

In order to apply for assistance from the Local Authority, the young person must be resident in the London Borough of Bromley prior to the start of the academic year. The local colleges will consider requests for assistance from out-of-borough students attending their establishments who have been unable to secure funding from any other source and are able to supply written confirmation that their requests have been refused on the basis of a clear reason or rationale.

Assistance Offered

Travel assistance will be considered by the Local Authority if it is necessary to travel more than 3 miles to follow a particular course at the nearest available establishment (taking account of preferences an individual may have based on their religion or belief) where appropriate and if the student / parents are in receipt of one of the following benefits:

The statutory walking distance of 3 miles to school (along the nearest available route) for those of compulsory school aged 8 and over is set out under section 444(5) of the Education Act 1996. This can be used as a benchmark by local authorities in defining the distance a young person might reasonably be expected to walk to access education or training.

- DWP Income Support
- Income-based Jobseekers Allowance
- Income-based Employment & Support Allowance
- Working Tax Credit
- Child Tax Credit ONLY with gross income less than £16,190
- Support from National Asylum Support Service or Support from a Social Services Asylum Team
- Guarantee element of state pension credit or Housing Benefit.

Parents must also provide confirmation of Child Benefit received in respect of the student.

With the introduction of the Universal Credit, the eligibility criteria will be subject to change.

Claims for help with daily travel where the distance travelled is less than 3 miles will be considered only in exceptional circumstances.

Further details of the travel assistance available from Bromley College of Further and Higher Education can be obtained directly from the college (see contact details in the final section of this policy).

NB: Travel expenses are paid termly by cheque payable to the student calculated according to the cheapest reasonable means using student season ticket rates where applicable. Cheques will not be sent to home addresses but must be collected and signed for at the Student Services department of the college attended.

Eligibility Criteria:

Students under 18 using local buses or trams are not eligible for travel assistance as travel is free under Transport for London Oyster Card arrangements

Students undertaking training schemes where travel support is provided are not entitled to additional transport funding

Assistance from the Authority is normally considered only for full-time courses of at least one year's duration. Further education establishments may also consider travel assistance for courses of part-time study

Where a course is available locally, students are expected to apply for that course in the first instance and at the proper time. If a student chooses to attend a course at an alternative establishment assistance will normally only be considered if the student can provide confirmation of exceptional circumstances

Assistance is not usually offered by the Local Authority for repeat level study unless extenuating circumstances regarding the application are submitted and exceptionally approved.

Assistance is not usually offered towards courses held at private establishments

Students with a disability who feel that they require additional transport support should in the first instance contact their education providers

Reasonable Choice

Young people should have a reasonable opportunity to choose between the courses available to them at 16 and be supported to access their choices. Local Authority transport policies will be supportive of appropriate reasonable choice.

Reasonable choice will include enabling young people to choose courses outside their home Local Authority boundaries if it makes sense for them to do so. The Local Authority will consider the support of movement across Local Authority boundaries, to ensure that the young person is no worse off than if they had chosen to attend an establishment within their home Local Authority. In doing so, the Local Authority will consider the transport policies of neighbouring Local Authorities.

Journey Time

Consistent with the home to school transport duty for children of compulsory school age, young people should be able to reach their establishment of education or training without incurring such stress, strain, or difficulty that they would be prevented from benefiting from the education provided. For example, a young person should not have to make several

changes of public service bus (or other mode of transport) to get to their establishment of education or training, if that would result in an unreasonably long journey time. In this context, the Local Authority will consider which mode of transport will best meet the need to ensure a reasonable journey time. Best practice suggests that a child of secondary school age may reasonably be expected to travel up to 75 minutes each way to access learning. The Local Authority will apply similar expectations to young people of sixth-form age.

Cost of Transport

The Local Authorities will attempt to support those young people and their families with the greatest needs; particularly those with a low income. In this way, the Local Authority will ensure that all learners are able to have reasonable choice in post-16 learning and will contribute towards reducing child poverty.

The Local Authority may ask learners and their parents for a contribution to transport costs whilst exercising discretion in determining in what circumstances it is appropriate to ask for a contribution. In exercising this discretion the Local Authority will:

Ensure that any contribution is affordable for learners and their parents

Ensure that there are arrangements in place to support those families on low income

Take into account the likely duration of learning and ensure that the transport policy does not adversely impact particular groups. For example, as young people with learning difficulties and / or disabilities are more likely to remain in education or training longer than their peers, any contribution sought from the families of young people with learning difficulties and / or disabilities would need to allow for the fact they may have to make a contribution over a longer period than the families of those with children who do not have a learning difficulty and / or disability.

The Local Authority may take receipt of 16-19 bursary funding into account in assessing an individual's need for financial help with transport.

Alternative Means of Facilitating Attendance at Establishments

The Local Authority will consider alternative means of facilitating attendance at establishments of education or training. In doing so, they will consider young people's safety. Suitable and appropriate alternatives may include some of the following transport solutions:

Cycle Schemes - which can support independence and also offer a sustainable form of transport provision

Moped Schemes - which can support individual learners (over the age of 17) to travel to education and training from rural areas where there is no critical mass of learners meaning that, for example, a bus service, is not viable

Independent travel training to enable young people (often with learning difficulties and / or disabilities) to travel on public transport independently

Additional Information for Students with Special Educational Needs

Please see the Special Educational Needs Transport Policy for full detail.

The Local Authority expects and encourages most pupils of this age to use public transport and travel independently because of the beneficial effects this will have on the pupil's development of independent living skills. However, the Local Authority recognise that in certain circumstances, in relation to children and young people with a disability and/or learning difficulty, additional assistance may be necessary. Transport Assistance will be provided where the Local Authority is satisfied that there is clear evidence of need. In general, it is expected that parents will do their utmost to ensure their children attend the school or other educational establishment regularly.

The Local Authority will look to support the needs of the most vulnerable or socially excluded with particular consideration being given to:

Young people with learning difficulties and / or disabilities

Young people vulnerable to not being in education, employment or training (NEET) at 16-17 years or already NEE Young parents - Care to Learn (CTL) can help pay for children and travel costs for learners aged 19 years and under at the start of the course⁴

The additional costs of taking a child to and from childcare may be claimed, within a set weekly limit. C2L does not support the costs of travel to the learning provider

Young people who live in particularly rural areas where the transport infrastructure can be more limited

A student will be entitled to transport assistance if it is necessary to help the student attend their school / college or specialist educational provision. However, parents should note that if they express a preference for a school further away from another suitable school there is no duty upon the Local Authority to provide transport.

All applications will be assessed on their own merits. The following criteria will be taken into account in assessing individual applications for additional assistance:

Whether the young person attends or is due to attend the nearest suitable school or other educational establishment

The age, type and severity of the young person's needs

The length and complexity of the route, or alternative routes which the pupil or young person could reasonably be expected to take to and from the school or other educational establishment, including any risks

Any parental disability

Any other assistance the child or his / her parents are receiving that may aid attendance (such as a mobility allowance / vehicle available)

No other circumstances will be taken into account in deciding whether or not the application should be approved unless there is clear evidence that they would prevent a child from attending school or other educational establishment. The following factors will not be taken into account when applications are considered:

Parents' work or other commitments

Attendance by siblings at other schools

Assistance will be provided for as long as the student's needs are such that given all the circumstances they continue to require transport to get to their school / college / specialist provision. All transport assistance will be regularly reviewed and at least annually.

The initial assessment will be carried out by the Special Needs Transport Officer. If necessary, advice may be sought from the student's place of study, connexions workers, or the Occupational Therapy Service and / or other specialist professionals who have, are, or will be interacting with the young person.

Students over the Age of 19 with Special Educational Needs Attending Further Education Colleges

There is no requirement to provide travel assistance to students over the age of 19 except where they are completing a course that they have already started.

The Local Authority wishes to promote access for disabled people and encourage independent living and is therefore prepared to consider applications for travel support for students for courses up to the age of 25 where there is clear evidence that it will significantly improve their potential to live independently. Where this criterion is met, applications will be considered as above⁵.

The 16-18 transport duty relates to young people of sixth form age with learning difficulties and/or disabilities aged up to 19 (and beyond the age of 19 if they are continuing on a particular course started before the age of 19). Local authorities also have a duty under the Education and Skills Act 2008 to encourage, enable and assist the participation of young people with learning difficulties and/or disabilities up to the age of 25 in education and training

Journeys for Which Transport Will Not Be Provided

Travel assistance will not be provided for the following:

- Medical appointments
- Clinical, psychiatric or speech therapy appointments
- Visits to other schools or other locations
- In the event a child has to be collected from school due to illness or for any other reason
- Parental attendance at annual reviews

Exceptional Circumstances

Claims for help with daily travel where the distance travelled is less than 3 miles will be considered only in exceptional circumstances.

The Director of Education, or nominated officer has the right to exercise discretion in any exceptional circumstances appearing to fall outside the terms of this policy.

Description of Types of Travel Assistance

When eligibility for assistance with travel from home to school has been established, the following means of transport will be considered with the Local Authority making the final decision to ensure the Local Authority adheres to its duty to secure value for money:

Public Transport Services

Whenever appropriate, children will be encouraged to use free public transport. Where necessary a travel pass will be provided. Independent travel will help some children with special educational needs (SEN) to develop life and social skills. It is expected that the full range of free transport and concessions available for children (and their families), with disabilities will have been explored and secured.

Mileage Allowance

Where it has been accepted that additional travel assistance is needed, parents / carers may prefer to transport their own child to school. This will allow improved contact between parent and school and in many cases will be a more settled journey for the pupil. In these cases a mileage allowance at the standard rate may be available.

Transport Provided by the Local Authority

The Council will provide transport for children unable to travel to school by any other means. This transport may be a taxi, mini-cab or bus owned and operated by a private contractor.

Transport will be provided in the most cost-effective way, but there will be no compromise on safety.

The Council considers it preferable that children travel with someone they know and where appropriate will expect parents, carers or relatives to act as an escort, especially when their child is the only passenger. Escorts will be provided by the Council in circumstances where it would be unsafe without one. Escorts will usually be provided where a child exhibits severe challenging behaviour or where the child suffers from a severe or complex medical condition which requires continuous support.

Non Transport Solutions to Facilitate Learner Access

The Local Authority will also consider whether non-transport solutions could facilitate learner access to education or training. Some examples for consideration may be:

- Peripatetic teachers
- Mobile provision
- e-learning options

Transport Provision and Concessions in Bromley

For bus and tram travel, free travel is available for students under the age of 18. Full time students aged 18+ can purchase a Student Oyster Photo card at a fee of £5 through participating schools and colleges whereby travel cards and bus passes can be purchased at 30% less than the standard adult rate.

Train travel, where this is the only reasonable method of transport, will be calculated using the cheapest appropriate season ticket / travel-card rates. Where attendance is less than a full week, daily fares may be used. Students should check with their local station or travel centre to ensure the most economical and efficient method of transport is selected.

For students with disabilities, Freedom Passes provide free travel at any time on buses, tubes, trams and most local rail services. Details and application forms are available from Bromley Civic Centre, Stockwell Close, Bromley BR1 3UH.

Complaints

Local Complaints Process

Complaints in relation to decisions regarding transport must first be taken up with the Local Authority. If these do not result in a satisfactory outcome the young people or their families may complain to the Secretary of State.

Complaints to the Secretary of State

Under section 509AA (9), of the Education Act 1996, the Secretary of State may direct a Local Authority to make transport arrangements or provide financial assistance for travelling expenses for individuals or groups of learners. This only applies where particular transport arrangements or financial assistance have not been included in, or are not covered by, the Local Authority's Transport Policy statement. The Secretary of State can make a direction where he considers it expedient to do so, having regard to the particular circumstances of the case.

The Secretary of State also has powers under section 496 and 497 of the Education Act 1996 to direct a Local Authority where they have exercised their functions unreasonably or where they have failed to discharge a duty. If the Secretary of State is satisfied that an Authority has acted unreasonably, he / she may give such directions as to the exercise of the power or performance of the duty as appear to him / her to be expedient.

How to Apply

Local Authority application forms for school and college transport are available from the:

Bromley School Admissions Team, Civic Centre, Stockwell Close, Bromley BR1 3UH Tel: 0208 313 4044 (School) 0208 313 4044 (College) and 0208 313 4740 (Special Educational Needs)

Further details and college application forms are available from the individual colleges:

Student Finance and Welfare Team, London South East Colleges, Bromley Campus, Rookery Lane, Bromley BR2 8HE Tel 0208 295 7001

Student Services, London South East Colleges, Orpington Campus, The Walnuts, High Street, Orpington BR6 0TE Tel 01689 899770

SEN Transport Team, Civic Centre, Stockwell Close, Bromley BR1 3UH Tel: 0208 313 4740 (Special Educational Needs)

LA Further Education travel assistance application forms are currently available from the School Admissions Team at the Civic Centre Bromley.